

UNITED STATES DISTRICT COURT

for the
District of Oregon

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

USAO #2024R00551

Case No. 3:24-mc-00688

Information associated with the Discord User
ID 1195222631432077332 that is stored at premises
controlled by Discord, Inc., as described in Attachment A

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):
Information associated with the Discord User ID 1195222631432077332, username "baallelujah", that is stored at premises controlled by Discord, Inc., as described in Attachment A, hereto

located in the Northern District of California, there is now concealed (identify the person or describe the property to be seized):

The information and items set forth in Attachment B hereto.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. § 2251(a)	Sexual Exploitation of Children/Production of Child Pornography
18 U.S.C. § 2252A(a)(1)	Transportation of Child Pornography via Interstate Commerce
18 U.S.C. § 2252A(a)(2)	Distribution/Receipt of Child Pornography
18 U.S.C. § 2252A(a)(5)(B)	Possession of Child Pornography

The application is based on these facts:

See affidavit which is attached hereto and incorporated herein by this reference.

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

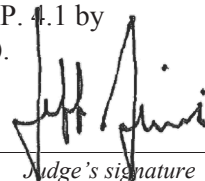
Cassandra Sommers, Special Agent, FBI

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
Telephone at 12:39 pm (specify reliable electronic means).

Date: July 2, 2024

City and state: Portland, Oregon



Judge's signature

HON. JEFFREY ARMISTEAD, United States Magistrate Judge

Printed name and title

DISTRICT OF OREGON, ss:

AFFIDAVIT OF CASSANDRA SOMMERS

**Affidavit in Support of an Application
for a Search Warrant for Discord**

I, Cassandra Sommers, being duly sworn, do hereby depose and state as follows:

Introduction and Agent Background

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since January 2021. I am currently assigned to the FBI's Portland Field Office. As a federal law enforcement officer, I am authorized to investigate and make arrests for violations of federal law, and to apply for federal search warrants. I graduated from the FBI Academy at Quantico, Virginia, after completing a 19-week course of instruction. I have acquired knowledge and information about criminal conduct and investigation from many sources, including formal and informal training, other law enforcement officers, investigators, informants, persons who I have interviewed, and my participation in investigations. I have investigated matters involving the sexual exploitation of children, including the online sexual exploitation of children, particularly as it relates to violations of Title 18, United States Code, Sections 2252A and 2422. I am part of the Portland Child Exploitation Task Force (CETF), which includes FBI Special Agents and Task Force Officers from Portland and Hillsboro, Oregon. The CETF is an intelligence-driven, proactive, multi-agency investigative initiative to combat the proliferation of child pornography/child sexual exploitation facilitated by an online computer. As part of my duties as a federal agent, I work with local, state, and other federal agencies on joint investigations of federal offenses.

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2. I submit this affidavit in support of an application for a search warrant for information associated with certain accounts that is stored at premises owned, maintained, controlled, or operated by Discord, Inc. (hereinafter Discord), an electronic communications service headquartered at 444 De Haro Street, Suite 200, San Francisco, California 94107. The information to be searched is described in the following paragraphs and in Attachment A. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A), and 2703(c)(1)(A) to require Discord to disclose to the government copies of the information (including the content of communications) for the following Discord account:

- Username “baallelujah.” User ID Number: 1195222631432077332

The account is hereinafter referred to as the “Discord Account” and is further described in Attachment A to this affidavit. As set forth below, I have probable cause to believe that the Discord Account contains evidence, as set forth in Attachment B to this affidavit, of violations of Title 18, United States Code, Sections 2251(1), 2252A(a)(1), 2252A(a)(2), 2252A(a)(5)(B) which prohibit the production, transportation, receipt, distribution, and possession of child pornography, hereinafter “Target Offenses”.

3. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter. The facts set forth in this affidavit are based on my own personal knowledge, knowledge obtained from other individuals during my participation in this investigation, including other law enforcement officers, interviews of witnesses, a review of records related to this investigation, communications with others who have knowledge of the events and circumstances described herein, and information gained through my training and experience.

Applicable Law

4. I believe there is probable cause to believe that evidence of the following violations will be found in the places to be searched:

- 18 U.S.C. § 2251(a) (Sexual Exploitation of Children/Production of Child Pornography) makes it a crime to persuade, induce, entice, or coerce any minor to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct.
- Title 18, U.S.C. § 2252A(a)(1) makes it a crime to knowingly transport child pornography using any means or facility of interstate or foreign commerce, or in or affecting interstate or foreign commerce by any means, including by computer.
- Section 2252A(a)(2) makes it a crime to knowingly receive or distribute any child pornography that has been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer.
- Section 2252A(a)(5)(B) makes it a crime to knowingly possess or access with intent to view child pornography that has been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer, or that was produced using materials that were mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer.

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5. “Child pornography” is defined in 18 U.S.C. § 2256(8) and includes any visual depiction of a child under the age of 18 years engaging in sexually explicit conduct. “Sexually explicit conduct” is defined in 18 U.S.C. § 2256(2) and includes sexual intercourse, whether genital-genital, oral-genital, anal-genital, or oral-anal, whether between members of the same or opposite sex; bestiality; masturbation; sadistic or masochistic abuse; and the lascivious exhibition of the genitals, anus, or pubic area of any person.

Relevant Electronic and Wire Communication Statutes

6. The relevant federal statutes involved in the disclosure of customer communication records for the requested data in the Instagram Account are as follows:

a. Title 18 U.S.C. § 2703(a) provides, in part: “A governmental entity may require the disclosure by a provider of electronic communication service of the contents of a wire or electronic communication, that is in electronic storage in an electronic communications system for one hundred and eighty days or less, only pursuant to a warrant issued using the procedures described in the Federal Rules of Criminal Procedure by a court of competent jurisdiction.”

b. Title 18 U.S.C. § 2703(b)(1) provides, in part: “A governmental entity may require a provider of remote computing service to disclose the contents of any wire or electronic communication . . . (A) without required notice to the subscriber or customer, if the governmental entity obtains a warrant issued using the procedures described in the Federal Rules of Criminal Procedure by a court of competent jurisdiction.”

c. Title 18 U.S.C. § 2703(c)(1) provides, in part: “A governmental entity may require a provider of electronic communication service or remote computing service to

disclose a record or other information pertaining to a subscriber to or customer of such service (not including the contents of communications) only when the governmental entity—(A) obtains a warrant issued using the procedures described in the Federal Rules of Criminal Procedure by a court of competent jurisdiction.”

d. Title 18 U.S.C. § 2510(1) defines a “wire communication” as “any aural transfer made in whole or in part through the use of facilities for the transmission of communications by the aid of wire, cable, or other like connection between the point of origin and the point of reception furnished or operated by any person engaged in providing or operating such facilities for the transmission of interstate or foreign communications or communications affecting interstate or foreign commerce.”

e. Title 18 U.S.C. § 2510(12) defines “electronic communication” as “any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photo optical system that affects interstate or foreign commerce,” with certain exceptions not applicable here.

f. Title 18 U.S.C. § 2510(17) defines “electronic storage” as “any temporary, intermediate storage of a wire or electronic communication incidental to the electronic transmission thereof” and “any storage of such communication by an electronic communication service for purposes of backup protection of such communication.”

g. This Court has jurisdiction to issue the requested warrant because it is “a court of competent jurisdiction” as defined by 18 U.S.C. §§ 2703(a), (b)(1)(A), (c)(1)(A) and 2711. Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

Statement of Probable Cause

Initial Tip

7. On or around June 18, 2024, Portland FBI was made aware of a National Threat Operation Center (NTOC) report stating that a 14-year-old minor female victim, hereinafter referred to as MV, was being solicited to self-produce child sexual abuse material (CSAM) for a subject she referred to as “Josh Chen”, later identified as Juan Sebastian PEREZ, hereinafter referred to as “PEREZ”. NTOC serves as the FBI’s central intake point through which the public can provide information about federal crimes and threats to national security. NTOC tips can come through telephone, social media or by visiting www.tips.fbi.gov. Based on the details of the tip, I believed that MV was being victimized in her home and requested the assistance of Lake Oswego Police Department (LOPD) to conduct a welfare check at the residence.

Welfare Check on MV

8. On June 18, 2024, LOPD conducted a welfare check at MV’s residence. After speaking with MV, LOPD was made aware that no hands-on abuse was being conducted in the residence. MV advised LOPD that she was being victimized by an adult male (PEREZ) who she believed to be 24 years old and living in or around Maple Park, Florida. MV stated that she and PEREZ met on Instagram in December 2023 after she posted a picture in Portland Oregon, and PEREZ commented stating, “I know where you are.” After the initial contact on Instagram, MV and PEREZ moved to multiple applications including X (formerly known as “Twitter”)¹ and

¹ According to open-source research, X is a social networking service, once called “Twitter”, where a user can share short text messages, images, and videos in posts (formerly "tweets") and like or repost/retweet other users' content.

Discord. Although MV did not provide the exact date that MV and PEREZ began communicating with one another on Discord, based on my training and experience, subjects will often use multiple applications simultaneously or in rapid succession to communicate with victims in order to groom them. Based on this, I have reason to believe that evidence of the aforementioned crimes will be found on the Discord Account beginning in December 2023 when PEREZ initially contacted MV. PEREZ also asked MV to create a Telegram² account where they primarily communicated. MV advised LOPD that PEREZ requested she share her location with him, so PEREZ knew her home address. Additionally, PEREZ would get mad at her if she did not respond in a timely manner.

9. LOPD reviewed the Telegram and X (formerly Twitter) chats in the presence of MV's parents and observed numerous messages that, in my training and experience, contained common grooming language, for example, "I genuinely love you too... You're like a daughter to me.. or like my sister... & my girlfriend", "you're everything to me", and "good girl." Based on my training and experience, I know that individuals that are grooming underage children will often use emotionally loving language to get the child to trust them. Once the child has exhibited trust, the subjects will then try to threaten or manipulate them into continuing the conversation for the subject's sexual gratification. Additionally, PEREZ told MV, "I'm going to starve you... and abuse you." LOPD observed Telegram chats where PEREZ advised MV that he was going to punch her in the stomach, strangle her to death, abduct her and kill her.

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² According to open-source research, Telegram is an instant messaging service where users can share text messages, images, and videos between each other. Telegram also allows users to post stories and create groups.

Review of Telegram

10. On June 20, 2024, I reviewed the Telegram chats with LOPD. I observed multiple messages from PEREZ, whom MV stated was using X account @t_dros, requesting nude images of MV. On May 30, 2024, at approximately 7:57 a.m. PEREZ stated, “Send me full naked body at school *drool emoji*”, “let me see all your holes” and “It’s better to be icky for your pedo bf than learn useless shit.” Later that same morning, at approximately 8:49 a.m., MV used Telegram to distribute multiple nude images of her in what appears to be a school bathroom. The images fully display her breasts and vaginal area. On June 1, 2024, PEREZ stated that he was “feeling bad” and asked if MV was alone and would send him a video of her “ass.” Late that same day, at approximately 12:21 p.m., MV sent a video of her nude buttocks. PEREZ responded and stated, “Juicy little teenage ass”, “Fuck, I’m horny”, “Spread your legs wide and let me see your little pussy”, “I am catching a flight for this.” At approximately 12:26 p.m., MV distributed a self-produced partially nude image of her manually manipulating her vagina. In the image, MV is nude from the waist down and is wearing a black shirt, with the camera close to her vagina. On June 11, 2024, PEREZ distributed an image of his penis to MV and stated, “You deserve to be raped by an older adult cock like mine.”

11. On June 11, 2024, at 9:28 p.m., PEREZ distributed a video containing CSAM to MV via Telegram. The video was a 1 minute 30-second-long video of an adult female rubbing what appeared to be a slender white vibrator on the vagina of a fully nude female minor who appeared to be approximately 6 years old. The adult female was fully clothed, wearing a bright pink top and dark colored bottoms. The minor child was fully nude and had her legs spread open with one leg draped over the adult female.

X (Account Takeover)

12. On June 20, 2024, the Portland FBI was given permission by MV's parents to assume her online identity to chat with PEREZ. I reviewed the prior conversation between MV and PEREZ between MV's X account and @t_dros, and observed chat messages of PEREZ requesting images from MV. On April 8, 2024, at 8:26 p.m., PEREZ stated, "Send me a video of your legs spread apart & spread your pussy lips & tell Daddy you love him *hearts emoji* *hearts emoji*." At approximately 8:28 p.m. MV sent an eight-second video of a closeup of her manually manipulating and spreading apart her labia. MV can be heard in the video stating "I love you, I love you daddy."

13. A Portland FBI online undercover employee (UC) used MV's X account to contact PEREZ at his X account @t_dros. On June 22, 2024, PEREZ advised the UC, through the message feature of X, that he was using his X account to look at "icky things on here." When asked what "icky things" meant, PEREZ stated, "Just young teen girls begging to be fucked by older cock & watching girls show their bodies online", "Even found a discord server for teen girls your age [14 years old] selling online." PEREZ then stated, "I'm a pervert", "I love this shit." PEREZ stated, "I've cummed to your stuff countless times at work", "& then greeted a client like I didn't just cum to an underage girl." PEREZ advised the UC that he frequently would masturbate at work and suggested she also get a job in IT or software programming and that he works at a small business.

14. On June 23, 2024, the UC messaged PEREZ on X and asked what he was doing. PEREZ stated, "Just on Discord", "I've been looking at gore & illegal stuff". The UC asked what PEREZ'S Discord username was and PEREZ stated, "Give me yours because for some reason

nobody can find it” and advised the UC his Discord account name was “baallelujah.” PEREZ then used X account @t_dros to distribute a 1 minute 55 second video of what appears to be an adult or age unknown pornographic video of an adult female and male “roleplaying” as father and daughter. The video shows an adult male come into the female’s bedroom and start manually touching her vagina over a pair of underwear. PEREZ stated, “Us soon when I take you home.”

UC Discord Chats

15. On June 23, 2024, the UC and PEREZ began messaging on Discord. PEREZ told the UC that he blocked her on X because he thought she was “done with him.” PEREZ stated, “Please be my teen gf [girlfriend] forever”, “I’m never leaving you”, “I love grooming you & I want to be with until you die”. PEREZ stated that he has been “doing creepy stuff...” When asked what that meant, PEREZ stated, “Well, I’ve been talking to this girl... Besides the other grooming I’ve been doing... & if I fly to England, she’s going to help me rape teenage girls... If you read our conversation I think you’d have no choice but to touch.”³ PEREZ then shared screenshots of a X conversation between him and a user with display name “cunt”, hereinafter referred to as UNKNOWN SUBJECT 1 “US-1.” In the conversation, PEREZ and US-1 discussed kidnapping children together and sexually abusing them for both of their sexual gratification. For example, a piece of the conversation used graphic language where US-1 is telling PEREZ they could sexually abuse a child and PEREZ states, “I’m going to fuck that child pussy like an animal while you further traumatize her & help me run her life.” At the time of this

³ For brevity, “...” is used to show multiple messages sent in succession. In the actual chat conversation no punctuation is used.

affidavit, Portland FBI is still attempting to identify US-1.

X Accounts

16. According to MV, PEREZ initially used the X account @chr0mehearse to contact her. On June 24, 2024, I attempted to locate the aforementioned X account. When searching the X application for user @chr0mehearse I located numerous comments referencing the account dating back to approximately January 2024. On April 23, 2024, another user tagged @chr0mehearse and stated, “u interact w nsfw accounts, stay off a minors page dickhead.” When I clicked on the @chr0mehearse account I was navigated to the X account @t_dros.

17. The @t_dros X account contains multiple posts consisting of torture porn and adult rape. I observed multiple posts on the account stating that PEREZ/ @t_dros is grooming underage children and reposts from accounts discussing the corruption of minors. As an example, on June 22, 2024, @t_dros reposted the following, “we need to normalize teens that hide in their rooms from their par3nts to show their y0ung holes off for old men meeting up with pervs who hide in the bathroom from their wives to stroke to them): i need it.” PEREZ posted text stating things such as, “taking applications for live in house pet” and “Since when did bruising young girls become controversial? That’s vanilla imo.” In addition to the two aforementioned accounts, PEREZ asked MV if she wanted his new X account and stated that it was nsfw.⁴ PEREZ then provided MV with X name @user_ _007829. I attempted to search X and was unable to find any account with this information.

⁴ Based on my knowledge of commonly used internet terminology, “nsfw” is used to indicate that something is “not safe for work.” It is often used in reference to materials that are sexually explicit or violent.

Identification

18. On June 24, 2024, in response to an FBI Administrative subpoena, Discord returned multiple IP addresses used to log into User ID 1195222631432077332 account. User ID 1195222631432077332 was used to contact MV and had a username associated with it of “baallelujah.” The last seen IP address used by Discord User ID 1195222631432077332 was 76.101.202.164 on 06:18:15 UTC on 06/24/2024. 76.101.202.164 resolves back to a Comcast account.

19. On June 24, 2024, Comcast was subpoenaed to provide subscriber information, billing information, address of service and IP logs for 76.101.202.164 on 06/24/2024 at 06:18:15 UTC. Comcast returned the following for 76.101.202.164 on 06/24/2024 at 06:18:15 UTC:

Subscriber Name: Juan Perez

Service Address: 2241 Arbour Walk CIR, APT. 616, Naples, FL 34109

Billing Address: 2241 Arbour Walk CIR, APT. 616, Naples, FL 34109

Telephone: (631) 565-5442

Type of Service: Internet

Account Number: 8535100210948936

Account Status: Active

IP Assignment: Dynamically Assigned

E-Mail User ID: 936juan@comcast.net

20. Database checks show that Juan Carlos Perez, connected to the Comcast account, is likely to be the father of Juan Sebastian Perez (PEREZ) who both reside at the same address. MV advised LOPD that her and PEREZ would play Roblox together. In response to an Administrative subpoena, Roblox returned the email address sebasperezxo@gmail.com. Additionally, MV advised LOPD that PEREZ disclosed to her that he was approximately 24 years old, with a birthday in February, and lived in Florida. Based on the above, we believe

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that Juan Sebastian Perez is the owner of the Accounts and Discord account “baallelujah”. Juan Sebastian Perez’s birthday is February 27, 2001.

21. On June 25, 2024, search warrant 2:24-MJ-1115 was issued by the Middle District of Florida for the Naples, Florida, premises of Juan Sebastian Perez (PEREZ). On June 26, 2024, the search warrant was executed. That same day, PEREZ was charged by criminal complaint 2:24-MJ-1117-KCD, with Enticement of a Minor and Possession of Child Pornography in the United States District Court in the Middle District of Florida.

Background Information on Discord

22. Based on my training and experience, and review of publicly available information about Discord^{5,6}, Discord is a voice, video, and text chat application. Users can communicate in private, invite-only servers; in larger, more open communities; and private one-on-one messages. Discord does not require names or addresses for individuals to create accounts, but an individual may provide a name or telephone number voluntarily. Discord does require an email address for users to create an account. If the user is a paid user, Discord may have billing information. Discord collects information about the device a user is using to access Discord services, which includes information such as a user’s Internet Protocol (IP) address, operating system information, browser information, and information about a user’s device settings (e.g. camera/microphone). Discord collects log and event information related to how and when a user uses Discord’s services (such as the pages, servers, and channels a user visits).

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⁵ www.discord.com/safety/360044157931-Working-with-law-enforcement.

⁶ www.discord.com/privacy#the-information-we-collect.

23. In my training and experience, providers like Discord typically retain certain transactional information about the creation and use of each account on their systems. This information can include the date on which the account was created, the length of service, records of log-in (i.e., session) times and durations, the types of service utilized, the status of the account (including whether the account is inactive or closed), the methods used to connect to the account, and other log files that reflect usage of the account. In addition, providers often have records of the IP address used to register the account and the IP addresses associated with particular logins to the account. Because every device that connects to the Internet must use an IP address, IP address information can help to identify which computers or other devices were used to access an account.

24. Discord retains personal information “for as long as it is needed for the purposes for which we collected it.”⁷ Discord also retains content of messages exchanged between users. Discord accepts requests to preserve records from law enforcement.

25. In some cases, account users will communicate directly with a provider about issues relating to their account, such as technical problems, billing inquiries, or complaints from other users. Providers typically retain records about such communications, including records of contacts between the user and the provider’s support services, as well records of any actions taken by the provider or user as a result of the communications.

26. As explained herein, information stored in connection with messaging applications may provide crucial evidence of the “who, what, when, where, and how” of the criminal conduct under investigation, thus enabling the United States to establish and prove each

⁷ www.discord.com/privacy#the-information-we-collect.

element or alternatively, to exclude the innocent from further suspicion. In my training and experience, the information stored in connection with messaging applications can indicate who has used or controlled the account. This “user attribution” evidence is analogous to the search for “indicia of occupancy” while executing a search warrant at a residence. For example, messaging communications, contact lists, and images sent (and the date associated with the foregoing, such as date and time) may indicate who used or controlled the account at a relevant time. Also, stored electronic data may provide relevant insight into the messaging account owner’s state of mind as it relates to the offense under investigation. For example, information in a messaging account may indicate the owner’s motive and intent to commit a crime (e.g. communications relating to the crime), or consciousness of guilty (e.g. deleting communications in an effort to conceal them from law enforcement).

Information To Be Searched and Things To Be Seized

27. I anticipate executing this warrant under the Electronic Communications Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), by using the warrant to require Discord, Inc. to disclose to the government copies of the records and other information (including the content of communications) particularly described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

Nature of Examination

28. During its review of the information received from Discord under this warrant, law enforcement will segregate the information into two groups: (i) information that is responsive to the warrant and that the government may therefore seize; and (ii) information that

is not responsive to the warrant. This review will be performed within a reasonable amount of time not to exceed 180 days from the date of execution of the warrant. If the government needs additional time to conduct this review, it may seek an extension of the time period from the Court.

29. Information that is responsive to the warrant will be copied onto a separate storage device or medium. Responsive information may be used by law enforcement in the same manner as any other seized evidence. Information that is not responsive to the warrant will be sealed and stored on a secure medium or in a secure location. Nonresponsive information will not be reviewed again without further order of the Court (e.g., subsequent search warrant or order to unseal by the district court).

30. The government will retain a complete copy of the information received from Discord for a number of reasons, including proving the authenticity of evidence to be used at trial, responding to questions regarding the corruption of data, establishing the chain of custody of data, refuting claims of fabricating, tampering, or destroying data, and addressing potential exculpatory evidence claims where, for example, a defendant claims that the government avoided its obligations by destroying data or returning it to a third party.

Conclusion

31. Based on the foregoing, I have probable cause to believe, and I do believe, that Juan Sebastian Perez (PEREZ) committed the Target Offenses, and that evidence of that/those offenses, as more fully described in Attachment B hereto, are presently contained in the Discord Account, which is more fully described above and in Attachment A hereto. I therefore request that the Court issue a warrant authorizing a search of the Discord Account described in

Attachment A for the items listed in Attachment B and the examination and seizure of any such items found.

32. The government will execute this warrant by serving the warrant on Discord, Inc. Because the warrant will be served on Discord, Inc., who will then compile the requested records at a time convenient to it, reasonable cause exists to permit the execution of the requested warrant at any time in the day or night.

33. This investigation, 2024R00551, and process upon ECS and RCS providers is covered by an order issued by this Court pursuant to 18 U.S.C. § 2705(b) on June 24, 2024 (3:24-mc-9012). That order prohibits the Provider from notifying the subscriber, customer, or any other person of this warrant. The reasons to preclude notice set forth in that motion and order still apply, and I will serve a copy of said order when executing this warrant.

34. This affidavit, the accompanying application, and the requested search warrant were all reviewed by Assistant United States Attorney (AUSA) Kate Rochat prior to being submitted to the Court. AUSA Rochat advised me that in her opinion, the affidavit and application are legally and factually sufficient to establish probable cause to support the issuance of the requested warrant.

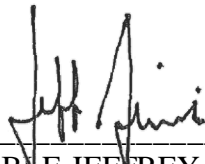
Request for Sealing

35. It is respectfully requested that the Court issue an order sealing, until further order of the Court, all papers submitted in support of the requested search warrant, including the application, this affidavit, the attachments, and the requested search warrant. I believe that sealing these documents is necessary because the information to be seized is relevant to an ongoing investigation, and any disclosure of the information at this time may cause flight from

prosecution, cause destruction of or tampering with evidence, or otherwise seriously jeopardize an investigation. Premature disclosure of the contents of the application, this affidavit, the attachments, and the requested search warrant may adversely affect the integrity of the investigation.

/s/ Sworn to by telephone
CASSANDRA SOMMERS
Special Agent, FBI

Sworn in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone at
12:39 pm on July 2, 2024.


HONORABLE JEFFREY AMISTEAD
United States Magistrate Judge

ATTACHMENT A

Property to Be Searched

This warrant applies to information associated with Discord account:

- User ID Number: 1195222631432077332, Username “baallelujah”

that is stored at premises owned, maintained, controlled, or operated by Discord, Inc., a company headquartered at 444 De Haro Street, Suite 200, San Francisco, California 94107.

ATTACHMENT B

Particular Things to be Seized

I. Information to Be Disclosed by Discord Inc. (the Provider)

To the extent that the information described in Attachment A is within the possession, custody, or control of the Provider, regardless of whether such information is located within or outside of the United States, and including any messages, records, files, logs, or information that have been deleted but are still available to the Provider, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), the Provider is required to disclose to the government for each account or identifier listed in Attachment A the following information:

- A. All business records and subscriber information, in any form kept, pertaining to the Account, including:
 - 1. All identity and contact information, including full name, e-mail address, physical address (including city, state, and zip code), date of birth, phone numbers, gender, hometown, occupation, and other personal identifiers;
 - 2. All usernames (past and current) and the date and time each username was active, all associated accounts (including those linked by machine cookie, IP address, email address, or any other account or device identifier), and all records or other information about connections with third-party websites and mobile apps (whether active, expired, or removed);
 - 3. Length of service (including start date), types of services utilized, purchases, and means and sources of payment (including any credit card or bank account number) and billing records;
 - 4. All activity logs including IP logs and other documents showing the IP address, date, and time of each login to the account, as well as any other log file information;
 - 5. All information regarding the particular device or devices used to login to or access the account, including all device identifier information or cookie information, including all information about the cellular device or devices used to access the account and the date and time of those accesses;

6. All data and information associated with the profile page, including photographs, "bios," and profile backgrounds and themes;
- B. All content, records, and other information relating to communications sent from or received by the Account from **December 1, 2023 to June 26, 2024**, including but not limited to:
1. All communications or other messages sent or received by the account;
 2. The content of all direct messages sent from, received by, stored in draft form in, or otherwise associated with the Account, including all attachments, multimedia, header information, metadata, and logs;
- C. All other content, records, and other information relating to all other interactions between the Account and other Discord users **December 1, 2023 to June 26, 2024**, including but not limited to:
1. All user content created, uploaded, or shared by the account, including any comments made by the account on photographs or other content;
 2. A list of all of the people that the user follows on Discord and all people who are following the user (i.e., the user's "following" list and "followers" list), as well as any friends of the user;
 3. A list of all users that all users the Account has followed, unfollowed, muted, unmuted, blocked, or unblocked, and all users who have followed, unfollowed, muted, unmuted, blocked, or unblocked the Account;
- D. All other content, records, and other information relating to the use of the Account, including but not limited to:
1. All privacy and account settings;
 2. All records of Discord searches performed by the account, including all . past searches saved by the account;
 3. All information about connections between the account and third-party websites and applications; and,
 4. All records pertaining to communications between Discord, LLC and any person regarding the user or the user's Discord account, including contacts with support services, and all records of actions taken, including suspensions of the account.
 5. All photographs and images in the user gallery for the account;
 6. All location data associated with the account, including geotags;

7. All data and information that has been deleted by the user;
2. The Provider is hereby ordered to disclose the above information to the government within 14 days of issuance of this warrant.

II. Information to Be Seized by the Government

A. All information described above in Section I that constitutes evidence of the production of child pornography in violation of Title 18, United States Code, Sections 2251(1), 2252A(a)(1), 2252A(a)(2), 2252A(a)(5)(B) which prohibit the production, transportation, receipt, distribution, and possession of child pornography, hereinafter “Target Offenses” for the time period of December 1, 2023 to June 26, 2024, for each account listed in Attachment A pertaining to the following matters:

- a. Production and possession of child pornography, to include communications between the account user with others related to sexually explicit material from minors.
- b. Evidence indicating how and when the Discord account was accessed or used, to determine the chronological and geographic context of account access, use, and events relating to the crime under investigation and to the Discord account owner.
- c. Records relating to who created, used, or communicated with the user ID, including records about their identities and whereabouts.
- d. Evidence indicating the Discord account owner's or user's state of mind as it relates to the crime under investigation.
- e. The identity of the person(s) who communicated with the user IDs about matters relating to the production and possession of child pornography, including records that help reveal their whereabouts.

f. The identity of the person(s) who created or used the Account,

III. Search Procedure

4. The warrant will be executed under the Electronic Communications Privacy Act, in particular 18 U.S.C. § 2703(a), (b)(1)(A), and (c)(1)(A), and will require Discord to disclose to the government copies of the records and other information (including the content of communications) particularly described in Section I of this attachment.

5. During its review of the information received from Discord under this warrant, law enforcement will segregate the information into two groups: (i) information that is responsive to the warrant and that the government may therefore seize; and (ii) information that is not responsive to the warrant. This review will be performed within a reasonable amount of time not to exceed 180 days from the date of execution of the warrant. If the government needs additional time to conduct this review, it may seek an extension of the time period from the Court.

6. Information that is responsive to the warrant will be copied onto a separate storage device or medium. Responsive information may be used by law enforcement in the same manner as any other seized evidence. Information that is not responsive to the warrant will be sealed and stored on a secure medium or in a secure location. Nonresponsive information will not be reviewed again without further order of the Court (e.g., subsequent search warrant or order to unseal by the district court).

7. The government will retain a complete copy of the information received from Discord for a number of reasons, including proving the authenticity of evidence to be used at trial, responding to questions regarding the corruption of data, establishing the chain of custody of data, refuting claims of fabricating, tampering, or destroying data, and addressing potential

exculpatory evidence claims where, for example, a defendant claims that the government avoided its obligations by destroying data or returning it to a third party.